

**§ 3354. Report**

Each federally recognized Indian tribe receiving a grant pursuant to this subchapter shall annually report to the Secretary concerning the administration of such grant, including the identities of any individual receiving a scholarship pursuant to this subchapter, and of any individual performing service pursuant to his or her commitment under this subchapter.

(Pub. L. 102-325, title XIII, §1364, July 23, 1992, 106 Stat. 815.)

**§ 3355. Authorization of appropriations**

For the purpose of carrying out the provisions of this subchapter, there are authorized to be appropriated \$2,000,000 for fiscal year 1993 and such sums as may be necessary for each of the 4 succeeding fiscal years.

(Pub. L. 102-325, title XIII, §1365, July 23, 1992, 106 Stat. 815.)

### SUBCHAPTER V—AMERICAN INDIAN TEACHER TRAINING

**§ 3371. American Indian teacher training****(a) Institutional support****(1) In general**

The Secretary of Education is authorized to award grants to tribally controlled postsecondary, vocational and technical institutions for the purposes of—

- (A) developing teacher training programs;
- (B) building articulation agreements between such institutions and other institutions of higher education as defined in section 1201(a) of the Higher Education Act of 1965 [20 U.S.C. 1141(a)]; and
- (C) basic strengthening of tribally controlled community colleges, as defined in section 1801(a)(4) of this title.

**(2) Use of grants**

Grants awarded under this subsection shall be for the purpose of providing upper division course work, transfer programs, articulation agreements (similar to those under part D<sup>1</sup> of title I of the Higher Education Act of 1965) with other accredited institutions, telecommunications programs or other mechanisms which directly support the training of American Indian teachers.

**(b) Student support grants****(1) In general**

The Secretary of Education is authorized to award grants to institutions that have developed teacher training programs under subsection (a) of this section for the purpose of providing financial and programmatic support to American Indian students seeking to participate in such institutions' teacher training programs.

**(2) Use of grants**

Institutions receiving grants under this section shall require recipients of grants under this subsection to serve as teachers in an In-

dian community for 1 year for each year of scholarship support received.

**(3) Eligibility**

Students eligible to receive support grants shall include those who have completed at least 30 hours of postsecondary education and who intend to pursue a 4-year degree.

**(4) Work requirement**

Students who fail to satisfy the requirements of paragraph (2) shall be required to repay a pro rata portion of the total amount of scholarships awarded under this subchapter if the student worked for less than the required time period described in such paragraph.

**(c) Scholarships****(1) Authority**

The Secretary of Education is authorized to provide scholarship assistance to American Indian students who seek to become teachers and who—

- (A) agree to serve as teachers in an Indian community for 1 year for each year of scholarship support received, and
- (B) have completed at least 30 hours of postsecondary education.

**(2) Work requirement**

Students who fail to satisfy the requirements of paragraph (1) shall be required to repay a pro rata portion of the total amount of scholarships awarded under this subchapter if the student worked for less than the required time period described in paragraph (1)(B).

**(d) "Indian" defined**

For purposes of this subchapter, the term "Indian" has the same meaning given such term in section 450b(d) of this title.

**(e) Authorization of appropriations**

There are authorized to be appropriated \$5,000,000 for fiscal year 1993 and such sums as may be necessary for each of the 4 succeeding fiscal years to carry out this subchapter.

(Pub. L. 102-325, title XIII, §1371, July 23, 1992, 106 Stat. 815.)

#### REFERENCES IN TEXT

The Higher Education Act of 1965, referred to in subsec. (a)(2), is Pub. L. 89-329, Nov. 8, 1965, 79 Stat. 1219, as amended. Part D of title I of the Act was classified generally to part D (§1018 et seq.) of subchapter I of chapter 28 of Title 20, Education, and was omitted in the general revision of subchapter I by Pub. L. 102-325, title I, §101, July 23, 1992, 106 Stat. 459. For complete classification of this Act to the Code, see Short Title note set out under section 1001 of Title 20 and Tables.

### CHAPTER 36—INDIAN EMPLOYMENT, TRAINING AND RELATED SERVICES

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**§ 3401. Statement of purpose**

The purposes of this chapter are to demonstrate how Indian tribal governments can integrate the employment, training and related services they provide in order to improve the effectiveness of those services, reduce joblessness in Indian communities and serve tribally-determined goals consistent with the policy of self-determination.

(Pub. L. 102-477, § 2, Oct. 23, 1992, 106 Stat. 2302.)

## SHORT TITLE

Section 1 of Pub. L. 102-477 provided that: "This Act [enacting this chapter] may be cited as the 'Indian Employment, Training and Related Services Demonstration Act of 1992'."

**§ 3402. Definitions**

For the purposes of this chapter, the following definitions apply:

**(1) Indian tribe**

The terms "Indian tribe" and "tribe" shall have the meaning given the term "Indian tribe" in section 450b(e) of this title.

**(2) Indian**

The term "Indian" shall have the meaning given such term in section 450b(d) of this title.

**(3) Secretary**

Except where otherwise provided, the term "Secretary" means the Secretary of the Interior.

(Pub. L. 102-477, § 3, Oct. 23, 1992, 106 Stat. 2302.)

**§ 3403. Integration of services authorized**

The Secretary of the Interior, in cooperation with the appropriate Secretary of Labor, Secretary of Health and Human Services, or Secretary of Education, shall, upon the receipt of a plan acceptable to the Secretary of the Interior submitted by an Indian tribal government, authorize the tribal government to coordinate, in accordance with such plan, its federally funded employment, training, and related services programs in a manner that integrates the program services involved into a single, coordinated, comprehensive program and reduces administrative costs by consolidating administrative functions.

(Pub. L. 102-477, § 4, Oct. 23, 1992, 106 Stat. 2302.)

## SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 3404, 3405 of this title.

**§ 3404. Programs affected**

The programs that may be integrated in a demonstration project under any such plan referred to in section 3403 of this title shall include any program under which an Indian tribe is eligible for receipt of funds under a statutory or administrative formula for the purposes of job training, tribal work experience, employment opportunities, or skill development, or any program designed for the enhancement of job opportunities or employment training.

(Pub. L. 102-477, § 5, Oct. 23, 1992, 106 Stat. 2302.)

**§ 3405. Plan requirements**

For a plan to be acceptable pursuant to section 3403 of this title, it shall—

(1) identify the programs to be integrated;

(2) be consistent with the purposes of this chapter authorizing the services to be integrated in a demonstration project;

(3) describe a comprehensive strategy which identifies the full range of potential employment opportunities on and near the tribal government's service area, and the education, training and related services to be provided to assist Indian workers to access those employment opportunities;

(4) describe the way in which services are to be integrated and delivered and the results expected from the plan;

(5) identify the projected expenditures under the plan in a single budget;

(6) identify the agency or agencies of the tribal government to be involved in the delivery of the services integrated under the plan;

(7) identify any statutory provisions, regulations, policies, or procedures that the tribal government believes need to be waived in order to implement its plan; and

(8) be approved by the governing body of the affected tribe.

(Pub. L. 102-477, § 6, Oct. 23, 1992, 106 Stat. 2303.)

**§ 3406. Plan review**

Upon receipt of the plan from a tribal government, the Secretary of the Interior shall consult with the Secretary of each Federal department providing funds to be used to implement the plan, and with the tribal government submitting the plan. The parties so consulting shall identify any waivers of statutory requirements or of Federal departmental regulations, policies, or procedures necessary to enable the tribal government to implement its plan. Notwithstanding any other provision of law, the Secretary of the affected department shall have the authority to waive any regulation, policy, or procedure promulgated by that department that has been so identified by such tribal government or department, unless the Secretary of the affected department determines that such a waiver is inconsistent with the purposes of this chapter or those provisions of the statute from which the program involved derives its authority which are specifically applicable to Indian programs.